

The aim of this diploma thesis is to introduce and compare the rules and regulations of criminal responsibility and ways of punishing of youth offenders in the Czech Republic and in England and Wales. The thesis is divided into three parts. The first part deals with rules and regulations in the Czech Republic, the second part deals with rules and regulations in England and Wales, and the third part compares the rules and regulations in both jurisdictions mentioned. The third part also includes *de lege ferenda* considerations about the possible usage of findings from the English jurisdiction in the Czech legal system.

The first part of this thesis systematically describes relevant provisions of Act No. 218/2003 Sb., the Juvenile Justice Act (ZSVM). This act is partly based on a welfare model, when it accents protection of a youth against outer risk factors, and it is partly based on a justice model, when it imposes an obligation on a youth to take responsibility for his/her unlawful actions. Besides, it acknowledges the principles of restorative justice – it stresses the obligation of a youth to redress the harm he/she has caused, to satisfy the needs of his/her victim and to reintegrate back into society. ZSVM differentiates between three types of sanctions – educational, protective and criminal. The minimal age of criminal responsibility in the Czech Republic is set on the age of 15, but educational and protective sanctions can also be imposed on delinquents younger than 15.

The second part of this thesis examines how the youth criminal justice system is regulated in England and Wales. Unlike in the Czech Republic, there is no complex codex in England and Wales, thus it is necessary to deduce on the youth criminal justice system by linking particular rules and regulations of specific principles and institutions that can be found in legal sources of various kinds, legal force and binding nature. Ideological roots are similar to the ideological roots in the Czech Republic, nevertheless English and Welsh legislation is more punitive, which is already evident in the fact that all the sanctions that can be imposed on youth offenders are criminal sanctions.

The most important differences between the two systems studied here can be found notably in the area of differentiation between types of custodial sentences and between types of institutions where custodial sentences are served. Also regulations of offender rehabilitation, an extent of the application of restorative justice and the method of deriving parental responsibility for their children's behaviour differ among the two jurisdictions. The English regulation of the four areas first mentioned can be, to some extent, inspirational for Czech regulation.